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Attorney for Plaintiff

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
MEDFORD DIVISION

JOHN ERIC SMITH,

Plaintiff,

v.

UNITED STATES OF AMERICA,

Defendant.

Case No. 16-CV-00690-CL

AMENDED COST BILL

STATE OF OREGON              )  
                                    ) ss:  
County of Jackson              )

After conferring with defense counsel, we have prepared the following Amended Cost Bill to resolve all known disputes about the claimed costs. I, Kelly L. Andersen, certify that the following is a true statement of costs incurred and/or believed to be allowed in this case.

- |                                      |           |
|--------------------------------------|-----------|
| 1. Filing Fee                        | \$ 400.00 |
| 2. Cost of Obtaining Medical Records |           |

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a)	Asante	\$ 209.75
b)	Kroger Pharmacy	\$ 30.00
c)	Medford Foot & Ankle	\$ 148.00
d)	Mercy Flights	\$ 20.00
e)	Oregon Advanced Imaging	\$ 15.00
f)	Rehabilitation Medicine Physicians	\$ 30.00
g)	Rogue Valley Urology	\$ 35.00
h)	SONSA	\$ 25.00
i)	Valley Immediate Care	\$ 25.00
j)	Walgreen Pharmacy	\$ 31.48

The bills are attached as Exhibit A.

3. Deposition transcripts (bills attached as Exhibit B)

a)	LNS Court Reporting Trans. John Eric Smith	\$ 315.00
	Depo/Trans. Of Manson, Webster, Schorran And Tiffany Smith	\$ 1,264.20
b)	Kostner & Associates Trans. Of Rubenson	\$ 511.50
c)	Debra Dugan Depo of Pray, M.D.	\$ 306.39
d)	Catherine Vernon & Assoc. Videotaped Depo of Choppa	\$ 1,068.00

4. Trial Subpoenas and Service Fees (bills attached as Exhibit C)

a)	Sure Serve Process Servers	\$ 115.00
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b)	Rogue Legal	\$	90.00
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5. Witnesses Fees and Mileage<sup>1</sup> (Exhibit D)

<b>Name</b>	<b>Attendance &amp; Travel Time</b>		<b>Subsistence</b>		<b>Mileage &amp; Travel Expenses</b>		<b>Total Cost for each Witness</b>
	<b>Days</b>	<b>Cost</b>	<b>Days</b>	<b>Cost</b>			
Tiffany Smith	1	\$40				\$5	\$45
Jeff Thompson	1	\$40				\$5	\$45
Scott McBride	1	\$40				\$5	\$45
Laural Wann	1	\$40				\$5	\$45
Diana Ortiz	1	\$40				\$5	\$45
Mike Sahlberg	1	\$40				\$5	\$45
Rich Brasher	1	\$40				\$5	\$45
Maria McGaughlin <sup>2</sup>	3	\$120	3	\$127.50		\$1,447.71	\$1,695.21
David Talan	2	\$80	2	\$76.50		\$1,352.59	\$1,509.09
Roseann Velez	2	\$80	2	\$76.50		\$823.61	\$980.11
Michele Cook	2	\$80	2	\$76.50		\$648.94	\$805.44
Daniel Rubenson	1	\$40	1				\$40
Robert Arnsdorf	1	\$40		\$38.35	336	\$183.12	\$261.37
Jeffery Zimmer	1	\$40				\$5	\$45

6. Trial Exhibits<sup>3</sup>

<b>Number of Pages</b>	<b>Black &amp; White<sup>4</sup></b>	<b>Color</b>	<b>Total Charges</b>

<sup>1</sup> Witness fee of \$40.00 per day of testimony and necessary travel time, plus mileage or actual travel expenses. 28 USC § 1821(b)-(c). Subsistence allowance is allowed for witnesses who live too far to be expected to travel to and from their residence daily while in attendance at trial. 28 USC § 1821(d). That rate is posted online, and for Medford is \$93/per day for hotel and \$51 per day for meals and incidentals, or \$38.25 for the first and last days of travel. See [https://www.gsa.gov/travel/plan-book/per-diem-rates/per-diem-rates-lookup/?action=perdiems\\_report&state=OR&fiscal year=2018&zip=&city=Medford](https://www.gsa.gov/travel/plan-book/per-diem-rates/per-diem-rates-lookup/?action=perdiems_report&state=OR&fiscal_year=2018&zip=&city=Medford).

<sup>2</sup> I have included one day travel each direction before and after her testimony because of the lack of reasonable flights between Medford and Florida.

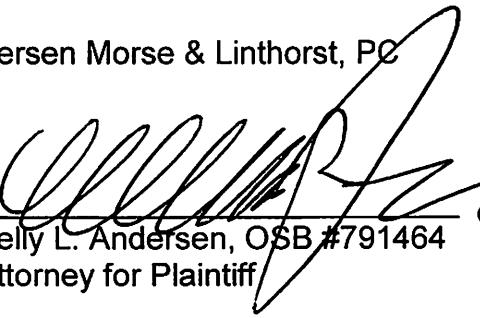
<sup>3</sup> This is the total page count and charges for all three copies of the trial binders: one each for Plaintiff, Defendant, and the Judge. The binders were each 868 pages, of which 34 were color copies.

102		\$0.55/page	\$56.10
2,502	\$.06/page		\$150.12

TOTAL \$10,496.56

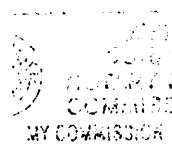
DATED this 29<sup>th</sup> day of November, 2018.

Andersen Morse & Linthorst, PC

By   
Kelly L. Andersen, OSB #791464  
Attorney for Plaintiff

SUBSCRIBED AND SWORN TO BEFORE ME this 29<sup>th</sup> day of November  
2018.

  
Notary Public for the State of Oregon  
My Commission Expires: 10-23-22



<sup>4</sup> These are the current charges at Staples.com as of November 19, 2018.

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